IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 10382 of 2004

Between:

G. Ganesh, S/o Sri Pothanna,
R/o Narsapur Village, Mandal: Laxmanchanda, Dist: Adilabad- A.P.

..... PETITIONER

AND

1 The Secretary, Department of Transport,
Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner, Transport Department,
Warangal District , AP.
3 The Regional Transport Authority, Adilabad District, AP.
4 The Motor Vehicle Inspector, Nirmal, Adilabad District - AP.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order or direction particularly one in the nature of Writ of Mandamus directing the respondents herein and any other appropriate Order or Orders or Directions against the respondents herein for the release of the seized vehicle bearing No. MH: 26C 0784,

For the Petitioner: MR.MACHERLA MOHAN RAO, Advocate

For the Respondents.: GP FOR TRANSPORT

The Court at the stage of admission made the Following :

HONOURABLE SRI JUSTICE K.C.BHANU

W.P.No.10382 of 2004

ORAL ORDER:

The petitioner's vehicle bearing No.MH 26 C 0784 was seized by the 4th respondent vide check report No.067529, dated 14.6.2004 for violation of certain provisions of Motor Vehicles Act. Whether the petitioner has violated the provisions of Motor Vehicles Act or not has to be decided by the competent authority. At this stage, it is not desirable to keep the vehicle idle exposing to sun and rain, which causes damage to the vehicle. So, in the interest of both the parties, the vehicle shall be given to the petitioner for interim custody.

Therefore, the 3rd respondent shall release the vehicle bearing No.MH 26 C 0784 to the petitioner on condition of the petitioner depositing a sum of Rs.5000/- (Rupees Five Thousand Only) with the following terms and conditions.

1) that the petitioner shall not alienate or transfer any part of the vehicle.

2) that the petitioner shall make himself available to produce the vehicle as and when required by the authority concerned.

With the above direction, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

ASSISTANT REGISTRAR

/TRUE COPY/

SECTION OFFICER

24th June, 2004

bcj

To

1 The Secretary, Department of Transport,
Government of Andhra Pradesh, Hyderabad.
2 The Deputy Commissioner, Transport Department,
Warangal District , AP.
3 The Regional Transport Authority, Adilabad District, AP.
4 The Motor Vehicle Inspector, Nirmal, Adilabad District - AP.

5 Two C.Cs to the Government Pleader for Transport, High Court Building (OUT)

6. Two C.D. copies